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/ APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,657	12/19/2000	Andrew T. Yule	PHB 34,435	7071

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[REDACTED] EXAMINER

MILLER, BRANDON J

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2683

DATE MAILED: 05/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

J

Office Action Summary	Application No.	Applicant(s)
	09/741,657	YULE, ANDREW T.
	Examiner Brandon J Miller	Art Unit 2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on ____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ . | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuya in view of Mimura.

Regarding claim 1 Kazuya teaches a mobile unit for use with a cellular radio transmission system having a base stations adapted for two-way radio communication and situated at respective geographical locations to define a service area constituting one or more regions, the mobile unit comprising a receiver, control means for controlling the mobile unit, means for entering into the control means a predetermined service area, the control means being capable of recognizing entry of the mobile unit into the predetermined service area from an adjacent service area, and means for notifying a user of the mobile unit of entry into the predetermined service area (see abstract, paragraph 3, pg. 4, lines 13-30 & 55-58, pg. 5, lines 20-26 & 36-49 pg. 6, lines 46-58, and pg. 7, lines 1-2). Kazuya does not specifically teach a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions. Mimura teaches a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions (see col. 2, lines 25-30 and FIG. 3). It would have been obvious

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to one of ordinary skill in the art at the time the invention was made to make the Kazuya adapt to include a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions because this would allow for a mobile terminal to obtain detailed local user information that is closely associated with an area it is located.

Regarding claim 2 Kazuya teaches a transmitter and adapted to communicate by two-way radio with a base station (see pg. 4, lines 43-53).

Regarding claim 3 Kazuya teaches a predetermined service area that is identified by an identification code of a corresponding base station (see pg. 3, lines 1-10).

Regarding claim 4 Kazuya teaches a user that is notified by an audible, visible, or mechanical alarm (see pg. 36-42).

Regarding claim 5 Kazuya teaches user operated means to enter into a control means information identifying a user selected service area as the predetermined service area (see pg. 4, lines 13-30).

Regarding claim 6 Kazuya teaches enabling a user to instruct a control means to define the current service area as a predetermined service area (see pg. 4, lines 13-30).

Regarding claim 7 Kazuya teaches a mobile unit and therefore reads on the accompanying drawings as understood by the examiner (see abstract, paragraph 3, pg. 4, lines 13-30 & 55-58, and pg. 5, lines 20-26 & 36-49).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Minagawa U.S Patent No. 6,510,318 discloses a method for location registration of mobile stations in a mobile communications system.

Dunko U.S Patent No. 6,553,236 discloses on demand location function for mobile terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

May 1, 2003



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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